

Staff Variance Report  
For  
May 8, 2013 Commission Meeting

“A” category = staff recommendation is for approval with no equal alternatives because of noncompliance is not adverse.

“B” category = staff recommendation is for approval with equal alternatives as stated by the proponent.

“C” category = reserved, meaning staff believes Commission needs to discuss entirety.

“D” category = recommendation is for denial.

“I” category = incomplete (with permission of the Chairman).

“NVR” category = no variance required.

NOTE: All staff recommendations presume code statements on the variances by the applicant are correct, unless otherwise noted. This means that all code statements become conditions of the variances and, if not true, the variances would be subject to Commission sanction. All LBO and LFO responses that they have received a copy of the application for variance are in order, unless otherwise noted.

**Tabled Variances:**

- 13-01-36(b)      **Lafayette Family YMCA – Lafayette**  
C      (b) *Remote exterior exits on the back of the building will not be provided with a sidewalk to the public way as required by code.* The exit discharge, “walking surface of the means of egress shall have a slip resistant surface and be securely attached”, this is interpreted to require a concrete sidewalk to the public way. The proponent advises that the code does not stipulate that the exit discharge be a paved surface and that a yard can be classified as a component of the exit discharge for a building. The hardship is the cost of installing sidewalks on the back of the building, which is estimated at approximately \$40,000.00. If the exit path away from the building is just mud or grass, how do wheelchairs get through it? Tabled at the request of the proponent. Tabled at the proponent’s request until the March meeting. Tabled at the request of the proponent until the April meeting. **Tabled at the request of the proponent until the June 4<sup>th</sup> meeting.**
- 13-04-9      **AI      HA Cleaning Business – 920 Adams – Gary**  
*The building has been vacant for over a year and the sprinkler system will not be maintained as required by the code.* The sprinkler system is not functioning at this time and there is no heat in the building. The building is empty except for a few machines that have not been removed. The proponent advised that there are not any combustibles in the structure. They are not planning on using the building at this time. **Tabled variance-incomplete and no proponent.**
- 13-04-37(b)      **Toyota Motor Manufacturing, Inc. – Princeton**  
C      (b) *The existing sprinklered Type II-N construction building has combustible partitions constructed of 2”X4” wood studs and combustible sheathing, which is not permitted by code.* The proponent advises that the building is protected by a sprinkler system with a design density of .30 over 4,000 sq. ft. which is over the production floor area. There is approximately 1,145 lineal feet of combustible partition wall within the 4 million sq. ft.

plant. The partitions make up shop offices, training centers, break areas and misc. support areas scattered throughout the production area of the plant. The partitions are considered temporary as far as the plant is concerned, which means the partitions will be taken down as plant layouts change. The hardship is the cost of approximately \$314,900.00 to remove the combustible partitions and reconstruct the partitions of noncombustible materials. Was a CDR issued before these partitions were installed? According to the inspection report, the sprinkler heads were not put into these rooms so they are not protected with the sprinkler system and a fire could get a large foothold before being touched by sprinklers. Was the fire alarm installed in these areas? **Tabled so proponent can bring back a plan for the demolition or correction of the walls.**

13-04-42

C

**University of St. Francis – End Zone Building – Ft. Wayne**

*The new permanent structure being constructed to replace tents that had been used in the end zone for hospitality space during football games will not comply with the numbers of restroom fixtures required in Chapter 29 of the IBC. The proponent advises that the existing restroom facilities along with the two new ones being built will not provide the required numbers per the code. The lower level of the structure will be used for the visiting team locker rooms and a weight training facility. The facility is only used 5 to 7 times per year during home games. The university will provide portable toilet facilities for each of these events in quantities that bring the total number of fixtures, along with the new rest rooms into compliance. This will entail 2 portables for men and 5 for women. The hardship is the cost of construction of permanent rest room facilities that will only be used a few times per year. How many fixtures are required and how many will be provided? **Tabled for proponent to check on alternatives to port-a-lets.***

13-04-48(a)(b)

D

**Deam Lake – Campground Cabins – Borden**

Project #362576

*(a) The code required sprinkler system will not be provided for this cabin located at a state recreational area. The cabin will not be provided with inside plumbing. There will be a combination hard wired electric and battery smoke detector installed per code. The cabin is only 270 sq. ft. The pictures show the cabin is on skid runners and is not a permanent type structure, with no foundation being present. The structure is 12' 2" X 28' 4" which includes the porch that is 6' X 12' 2".*

D

*(b) The Energy Code will not be followed in this cabin as it will not have heating, ventilation, air conditioning or insulation, to maintain minimum temperature as required by the code. The proponent advises that the cabins will be located in the primitive campground area. The cabin is 270 sq. ft. of living space and will offer considerably more freedom and protection from the elements than other forms of primitive camper equipment available. **Tabled so proponent can check on an NFPA 13D sprinkler system and determined the correct code for variance (b).***

13-04-49(a)(b)

D

**Starve Hollow SRA – Campground Cabins – Vallonia**

Project #362573

D

*(a) Same as 13-04-48*

*(b) Same as 13-04-48*

### New Variances:

- 13-05-1      A      **Santa's Storage - Portage**  
*The required emergency eye wash and showers and service sink service sink will not be provided in this self-storage warehouse. Also, no restrooms will be provided because the building is not occupied. Similar variances have been granted in 2013 and restrooms are not required if the building is not occupied.*
- 13-05-2      C      **Lake Lodge #157 - Crown Point**  
*The current code for Platform Lifts and Stairway Chairlifts, A18.1, requires lifts to have terminal stopping devices. The request is to omit them on these 2 lifts. They were installed sometime in the past (no date shown on the application), but were never permitted by the Elevator Safety Section until an application for installation permit was made in 2010, but not acceptance test was never performed and both devices now have been sealed out of service. The hardship appears to be that the lifts were manufactured and installed before this requirement applied. Why weren't applications for installation permits submitted when the lifts were originally installed? Do the lifts comply with all of the other requirements in the current code?*
- 13-05-3      A      **420 N. Fess-Units A-D Windows - Bloomington**  
*The current emergency escape and rescue windows do not meet the code of record. The 1993 Indiana Building Code calls for a minimum net window opening area of 5.7 sq. ft., a minimum opening height of 24", a minimum opening width of 20" and the minimum sill height not more than 44" above the floor. The current basement openings are 5.41 sq. ft., 25½" high and 30½" wide and 43" above the finished floor.*
- 13-05-4      BI      **Electric Brew Coffee Shop - Goshen**  
*The Building Code requires a handicapped accessible restroom for each gender. The request is to omit the accessible restrooms and allow the use of 1 unisex restroom in the adjoining tenant space. The hardship is the small space of the applicant's business.*
- 13-05-5      **VOID**
- 13-05-6      AI      **Allentown Village, Suites A-E, Windows - Bloomington**  
*The current emergency escape and rescue windows do not meet the code of record. The 1980 Indiana Construction Rules call for a minimum net window opening area of 4.75 sq. ft., a minimum opening height of 24", a minimum opening width of 20" and the minimum sill height not more than 48" above the floor. The current openings are 4.60 sq. ft., 19½" high and 34" wide and 35" above the finished floor.*
- 13-05-7      BI      **Honey Grove Educational Center – Greenwood(White River Twp)Project #362817**  
*Under the Fire Code, fire department access roads are required to be within 150' of all portions of the building. The request is to have them 200' from the building. There are several factors in the hardship; the construction site, existing play areas that are crucial for the Educational Center and the drainage for these areas are all crucial as well as the property boundary, the drive would not be sufficient for apparatus.*

- 13-05-8      A      **572 East Graham Place-Windows - Bloomington**  
*The current emergency escape and rescue windows do not meet the code of record. The 1980 Indiana One and Two Family Dwelling Code calls for a minimum net window opening area of 4.75 sq. ft., a minimum opening height of 24", a minimum opening width of 18" and the minimum sill height not more than 48" above the floor. The current openings are 4.70 sq. ft., 22½" high and 30" wide and 29" above the finished floor.*
- 13-05-9      CI      **Rick's Smoking Area – Evansville**      Project #362955  
*The structure has been constructed as a smoking area addition on the outside of a bar in compliance with the local City of Evansville Rules, without compliance with the Indiana Energy Conservation Code. The stated hardship is that, with the venting required for a smoking area, the owner can't comply with the Energy Conservation Code. Does the addition comply with all of the other Commission rules?*
- 13-05-10      AI      **Timber Ridge Condominiums 588 Graham Place – Bloomington**  
*The emergency escape and rescue windows do comply with the code of record for size. The code of record requires these windows to be openable to a minimum of 4.75 sq. ft., have a clear width of at least 18", a clear height of 24" and a maximum sill height of 48". The current windows are 4.8 sq. ft., 30" in width, 23.25" in height and have a sill height of 30.5" in two of the windows and the third has an area of 4.79 sq. ft., 30" wide, a height of 23" and a sill height of 30.5".*
- 13-05-11      C      **St. Anne's Church – HVAC – North Vernon**      Project #363850  
*The design loads required by the Mechanical Code will not be met. The proponent advises that the outside air will be available if CO<sub>2</sub> sensors require fresh air. The facility is only used once a week for a large service which lasts about one hour. They expect to maintain the temperature because the ceiling is only 20 feet high and they have not had any CO<sub>2</sub> issues reported in the past. The hardship is the cost of heating and cooling of full open outside air vents of approximately \$14,000.00. They advise that they have not had any problems with the use of less heating and cooling capacity.*
- 13-05-12      A      **Old National Bank – Seymour**  
*There is electrical/communications wiring and/or equipment in the elevator equipment room other than elevator equipment, which is not allowed by code. The room contains the building's telephone demarcation line that is mounted on a plywood backer board. The proponent advises that this situation has been this way for some time, except that a small percentage was recently added. The elevator machine room is 4,095 sq. ft. and the phone board is 240 sq. in. of protrusions into the clear floor space. The hardship to move the phone system would be the disconnection of the phone service while the service is being moved and the cost to relocate the main phone service as well as rerouting the and rerunning of the existing phone lines that would be required.*
- 13-05-13(a)(b)(c)      AI      **Morris Inn – Notre Dame – South Bend**  
 (a) *The code required governor rope will not be the same size as in the code, but will be 6.3 mm. This size rope is allowed in the 2010 A17.1 elevator code for Gen 2 Machine Roomless Elevators.*

- AI (b) *The suspension means for the elevator will not be of the same size and type as allowed in the current elevator code.* The suspension steel coated belts will be those used by Otis' Gen 2 Machine Roomless Elevators and are allowed in the 2010 A17.1 Elevator Code. The proponent advises that they will provide a permanent belt monitoring device.
- AI (c) *ACLS Buffers will be used instead of the code compliant springs.* The buffers are used for the Gen 2 Machine Roomless Elevators and the proponent advises that they meet the code as an approved equal alternative.

13-05-14 B **McDonald's #12027 - Cicero**  
*The Building Code requires an A-2 occupancy with an occupant load of more than 100 to be fully sprinklered.* The request is to omit the sprinkler system because the addition is only 564 sq. ft. and there are 2 exits from the public areas and 3 exits from the employee areas. What's the cost to sprinkle the building?

13-05-15(a)(b) **Dam Boathouse – Storage Shed – Bloomington** Project #363178  
 A (a) *Table 29 requires restrooms, eyewash station, emergency shower and drinking fountain in S occupancies.* This is an open, unoccupied boat storage building and there are restroom facilities within 200 ft.  
 A (b) *The code required concrete floor will not be provided for the storage building and gravel will be used instead.* The proponent advises that the building most closely resembles a parking garage. There will be no repair work done in the building, no autos will be parked in the building, this is a building to store boats in. The hardship is the cost to provide the concrete floor for dry boat storage.

13-05-16 C **Oakwood Drive Campus – Tell City** Project #363000  
*The code required NFPA 13R sprinkler system will not be used for this "R" Occupancy.* The request is to have an NFPA 13D system installed instead. The proponent advises this way the riser can come off of the domestic water line. They also advise that they will provide fire/smoke alarm system in each unit of the building. The hardship is the cost to install the 13R system of \$31,000.00 versus the 13D system cost of \$4,900.00. They show a 1 hour wall between each of the 4 units, but do not show any separation between the garage and the living quarters. How many buildings are going to be built? There is only one doorway to the outside with a 2<sup>nd</sup> door that goes into the garage.

13-05-17 AI **The Old Courthouse Catacombs – Haunted House – Evansville**  
*The clothes dryer in the sub-basement of the building will not be vented to the outside as required by code.* The proponent advises that the dryer is vented into the adjoining chamber which has stone walls, brick ceiling and dirt floors. There are no combustibles located in the room used for venting. The dryer is only used approximately 6 times per year and is maintained by staff at all times. The hardship is the Preservation Society will not allow vent holes to be drilled through existing limestone exterior walls, in order to maintain the original design of the courthouse.

13-05-18 CI **Contractors Steel – Sprinkler Deactivation – Hammond**  
*The sprinkler system will be deactivated by the proponent due to the change of occupancy to an S-2 storage area for rolled steel products.* The proponent advises that sprinklers

are not required in S-2 occupancies storing low hazard steel products. The hardship is that the sprinkler system has discharged without a fire being present in the past. Deactivating the sprinkler will prevent damage to the steel being stored. No drawings were submitted. How large is the building? They did not advise they were going to remove the system as required by the GAR. There was no mention about a dry system being installed in lieu of the wet system. Should this not be a variance from the GAR?

- 13-05-19      A      **Dickason Building – French Lick**  
*NFPA 13 prohibits obstructions to sprinkler discharge greater than 4' in width.*  
 The request is to allow display cases of a historically accurate miniature circus in the museum to not have sprinkler heads directly inside the cases because the water would damage the contents in the event of an accidental discharge. The local fire official “fully support[s] the decision” to proceed with the variance.
- 13-05-20      CI      **Scottsburg High School-Canopy Enclosure - Scottsburg**  
*The Building Code requires that a pedestrian walkway have 2-hour fire barriers at each end.* The request is to allow a 2-hour fire barrier at one end only. The stated hardship is cost, but no cost information is provided.
- 13-05-21      C      **Residences at Deer Creek - Schererville**      Project #351538  
*The Building Code requires the doors in a 1-hour rated corridor be rated, with self-closers.* The request is to use 2 doors that are not rated and not self-closing. No hardship statement is provided.
- 13-05-22      A      **Dow AgroSciences Show Farm - Kirklin**  
*The Fire Code limits the use of tents and canopies to 30 days in order to be considered “temporary”.* The request is to allow the use of 3 canopies for 69-70 days. It’s identical to variance 12-06-3 that was granted last year for the same use, for slightly different dates.
- 13-05-23      **Amish School - Bryant**      Project #364131  
 (a)(b)(c)(d)      AI      (a) *The Building Code requires restrooms within the school building.* The request is to outdoor toilets that are wheelchair accessible. The hardship is that the building has no running water or electricity.  
 use      AI      (b) *The Building Code requires a drinking fountain.* The request is to omit the drinking fountain. The hardship is that the building has no running water or electricity.  
 BI      (c) *The Building Code requires exit signs to internally or externally illuminated.* The request is to use “self-illuminating” exit signs. The hardship is that the building has no electricity.  
 BI      (d) *The Building Code requires emergency lighting that is hardwired with battery backup.* The request is to omit emergency lighting because the building will be used only in daylight hours. What about the darkness created by the smoke of a fire?  
 CI      (e) *The Energy Conservation Code requires compliance with its provisions if a building is conditioned.* The building is heated with a basement wood stove with the radiant heat being used to heat the first floor. The request is omit compliance.

- 13-05-24 CI **Vineyard Church Southwest - Plainfield**  
*The Building Code requires this 2-story A-3 to be sprinklered.* The request is to omit the sprinkler system and install a fire alarm system that the proponent states is not required. The hardship is that the cost quote for the sprinkler system is \$21,500 and this is a very small congregation and it's beyond their means.
- 13-05-25 I **Morgan County Fair & 4-H Assn.-Food Court Fume Hoods - Martinsville**  
 [missing 2<sup>nd</sup> page]
- 13-05-26 VOID
- 13-05-27 AI **2352 S. Henderson Street-Windows - Bloomington**  
*The emergency escape and rescue windows do comply with the code of record for size.* The 1980 Indiana Construction Rules require these windows to be openable to a minimum of 4.75 sq. ft., have a clear width of at least 18", a clear height of 24" and a maximum sill height of 48". The current windows are 4.87 sq. ft., 30.5" in width, and 23" in height and have a sill height of 31".
- 13-05-28 (a)(b)(c)(d) BI **Fishers Town Center-Mixed Use - Fishers**  
 (e)(f)(g) (a) *The Building Code requires an enclosed parking garage to be separated from apartments, retail, business, etc. occupancies by a 2-hour fire wall.* The request is to allow the use of 2-hour fire barrier. Similar variances were granted in 12-06-16(g) and 12-06-8(e).
- BI (b) *The Building Code requires fire walls that terminate at the interior side of exterior walls to have opening protectives of ¾ hour rating for openings within 4' of the fire wall.* The request is to allow non-rated windows that will be protected by water curtains.
- AI (c) *The Building Code requires access to attic spaces having a clear height over 30".* The request is omit the attic access because only about 35% of the attic space has a clear height over 30". This has been granted twice in the last year for similar projects.
- AI (d) *The Mechanical Code limits clothes dryer duct lengths to 25'.* The request is to allow dryer lengths in excess of 35'. This has been granted twice in the last year for similar projects.
- AI (e) *The Building Code requires emergency showers, eyewash stations, service sinks, drinking fountains, and restrooms for S occupancy parking garage.* The request is to omit all of these requirements.
- BI (f) *The Building Code requires enclosed stairs to have 1-hour rated window assemblies.* The request is to allow non-rated windows that will be protected by water curtains.
- BI (g) *The Building Code requires the exterior walls of this building to be fire-rated on both the interior and exterior sides.* The request is to omit the rating on the interior side only. This has been granted twice in the last year for similar projects.
- CI (h) *The Indiana Swimming Pool, Spa and Water Attraction Code requires shower facilities within 300' of the swimming pool.* The request is to be allowed to have the requirement met with showers located in apartments, some of which are more than 300' away. The hardship is the cost of the showers. What is the cost?

- 13-05-29 AI **532 E. Graham Place-Windows - Bloomington**  
*The emergency escape and rescue windows do comply with the code of record for size. The 1980 Indiana Construction Rules require these windows to be openable to a minimum of 4.75 sq. ft., have a clear width of at least 18", a clear height of 24" and a maximum sill height of 48". The current south window is 4.88 sq. ft., 31.25" in width, 22.5" in height and has a sill height of 32". The current north window is 5.0 sq. ft., 31" in width, 23.25" in height and has a sill height of 31.5".*
- 13-05-30 C **Wishard Crisis Respite - Indianapolis**  
*Chapter 34 of the Building Code allows conversion to I-1 and I-2 occupancies using NFPA 101A instead of the rules for new construction, but I-3 occupancies are not included. The request is to allow the use of NFPA 101A for an I-3 (allows the use of locking devices on all exit doors) on the 4<sup>th</sup> floor of this building. How many floors are in this building? What is the cost to make the facility to comply with the rules for new construction?*
- 13-05-31 (a)(b) BI **Camp Belzer Kiwanis Hut - Indianapolis**  
 (a) *The Building Code requires a 13R sprinkler system in an R-1 occupancy. The request is to allow this camp cabin, a replacement for a building that burned, to use a 13D system instead for 24 occupants' (adults and children) 2 sleeping rooms and activity room.*  
 AI (b) *The Building Code requires restrooms and other plumbing fixtures. The request is to omit all restrooms and other plumbing fixtures. Central restroom facilities are approximately 300 feet from the cabin.*
- 13-05-32 (a)(b)(c) CI **Mooreville High School Renovation and Addition - Mooreville**  
 (a) *The GAR require that an addition not put the building over area or height for the construction type. The request is to allow the construction of an infill addition of 7,646 sq. ft. to an existing 2-story building which will create a 3-story building in some places, but to allow the building to be treated as an unlimited area building. No additional alternatives are offered for the required 4-hour wall.*  
 AI (b) *The Building Code requires the sprinkler system to be completely installed, in order to allow occupancy of the new spaces. The request is to allow phasing of the sprinkler system installation, with each occupied space to be protected before being occupied. This has been granted many times for similar situations.*  
 CI (c) *NFPA 13 requires ceiling tiles to be in place, in order for the sprinklers to activate as designed. The request is to allow ceiling tiles to be removed for the construction. Will the spaces affected by the removed ceiling tiles be occupied?*
- 13-05-33 C **Hoosier Village Campus-100 Unite Residential Care/Dining - Zionsville**  
 Project #354141  
*The Building Code requires that doors entering and exiting a stairway in a series have a distance of 48" between the doors and prohibits the arc of swing of the entering door from overlapping the clear opening of the exiting door. The proponent has been advised that the facts of this project violate those provisions. The request is to allow the conditions as they exist in the building, which the proponent states are in compliance.*

- 13-05-34 C **JF Wild Building - Indianapolis**  
*The Building Code prohibits openings in walls that are too close to the adjacent property line. The request is to allow windows on the south side, floors 3-12, and on the west side, floors 11-12, in this 12-story building that is being converted from an office building to an R-2 under Chapter 34. How close are the walls to the adjacent property lines? What's on the adjacent property?*
- 13-05-35 (a)(b)(c) C **Randall Lofts – Ft. Wayne**  
 (a) *The Building Code limits dead end corridors to 20'. The request is to allow 46' dead end corridors in the 5 story building, with apts. on floors 2-5. The proponent states that this condition would be permitted under the 2012 International Building Code. Does the building comply with all of the requirements under the 2012 IBC?*  
 B (b) *The Building Code requires that exit doors be separated by a distance equal to at least 1/3 of the diagonal distance of the floor for which the doors serve as exits. The request is to allow exits to be 31% apart.*  
 C (c) *Under Chap. 34, in order for a score of complying with the vertical enclosures element, the stairs must be completely enclosed in 1-hour construction and stairs must be supported on construction that is the same rating as the stairs. The request is to allow the unenclosed stair to have the 18" draft curtain and close-spaced sprinklers located at the level that's not enclosed and to use a non-fire rated supporting construction for the other stair and still take the points for vertical enclosures.*
- 13-05-36 (a)(b) C **IUPUI Office Building - Indianapolis**  
 (a) *The Building Code requires that an elevator serving as the accessible means of egress be provided with backup power. The request is to omit the emergency generator and provide areas of rescue assistance on each upper level in each of the 2 enclosed stairways. Are the areas of assistance a sufficient alternative?*  
 C (b) *The Building Code requires that a pedestrian walkway that serves as a connector shall be separated at each end by a 2-hour fire barrier. The request is to allow the use of close-spaced sprinklers at one end, with the other end being attached to the portion of the building that has a roof opening for a new, elevated pedestrian walkway on the 2<sup>nd</sup> story of a 5-story building. How many stories is the other building? What are the occupancies in the other building? Is it sprinklered?*
- 13-05-37 CI **451 Market Street - Indianapolis**  
*The code required 9.5 mm diameter suspension cables will not be used and the new elastomeric coated suspension constructed of six 2.5 mm steel cables and a 6 mm in diameter governor suspension member will be used. The proponent advises that the elastomeric coated suspension is designed to conform to ASME A17.1, the 2010 Edition and ASME A 17.6 the 2010 Edition and is ANSI/AECO certified to ASME A17.7 the 2007 Edition. The 6 mm steel governor rope is designed to conform to ASME A17.1 the 2010 Edition and ASME A17.6 the 2010 Edition and is ANSO/AECO certified to ASME A17.7 the 2007 Edition. There is no hardship listed just a box checked that, Imposition of the rule would result in an undue hardship because of excessive costs of additional or altered construction elements.*

- 13-05-38 AI **Indiana University – McNutt Quad – Bordner Wing – Restroom Renovation**  
*The code required fire rated doors will not be provided for the utility rooms.* The doorways openings are to the new sink rooms. The new corridor wall construction, within the scope of the renovation will not be fire rated. Due to the proposed scope of the renovation, including the new corridor wall/door construction, the new elements are required to meet current code for corridor room separation requirements. The existing doors will be replaced with like for like items. The project involves the renovation of the existing toilet room cores. The utility rooms contain black iron waste lines, copper supply lines and sheet metal ducts. There are no combustibles contents. The ducts are provided with floor fire dampers – the utility areas do not function as duct shafts. The doors will be provided with locks opened only for infrequent access by maintenance personnel. The building is provided with a corridor smoke detection system which is not required. The hardship is that the latches and closer for access would hamper maintenance access and due to the small size of the sink rooms, doors would impede access into and out of the rooms and will create unnecessary bump hazards.
- 13-05-39 C **1002 Broad Ripple Avenue – Indianapolis**  
*The code required 2 exits from the rooftop deck, intended for an employee break area, will not be provided.* The request is to provide only one exit. The deck area is approximately 734 sq. ft. The proponent advises that the deck will have a direct exit into an exit stair enclosed with 1 hour fire barriers and discharging to the exterior at grade through a small lobby. The travel distance to the enclosed stair from the deck is a maximum of 60 feet. Emergency egress illumination will be provided for the entire deck area and along the path to the exit stair. The building will be protected throughout with an automatic sprinkler system. The hardship is the cost to extend the 2<sup>nd</sup> stair to the roof deck. What is the cost?
- 13-05-40 C **The Residences on Ronald Reagan – 3 Plex Villas – Avon**  
*The code required NFPA 13R sprinkler system will not be provided in the four 3-plex buildings.* The proponent advises that they will provide an NFPA 13D sprinkler system for the structure. Each unit has an exit directly to the exterior. Each unit will be separated with a one hour fire partition as required and each unit will have multiple station smoke detectors as required. The hardship is the use of the NFPA 13D sprinkler system will help control the construction cost for the relatively small 3-plex buildings. Will there be more of these buildings added later?
- 13-05-41 C **The Residences on Ronald Reagan – 2 Story Apartment Buildings – Avon**  
*The 2 story apartment building will have both egress stairs unenclosed within the center outdoor air connector, which is not allowed by code. Code requires that at least one stair be enclosed.* The proponent advises that the building will be protected with an NFPA 13R sprinkler system and each unit will be separated from the central egress corridor with a one hour fire partition and 20 minute rated doors as required. The total exit access travel distance, including the travel down the open stairs will be less than 100 feet, code allows up to 250'. The hardship is the construction of walls and doors for one of the stairs would potentially compromise personal security for the building occupants

and provide little or no benefit for safety. Enclosed exit stairs provide fire safety. Is that considered by the applicant?

- 13-05-42      C      **The Residences on Ronald Reagan – 3 Story Apartment Buildings – Avon**  
*The 3 story apartment buildings will have both egress stairs unenclosed within the center outdoor air connector, which code requires the stairs to be enclosed based upon classification as interior stairways.* The proponent advises that there will be exhaust fans actuated by sprinkler water flow at the 3<sup>rd</sup> floor ceiling of the connector. The connector is open to the outside at the first floor. The buildings are protected with NFPA 13R sprinklers that will be extended into the outdoor air connector containing the egress stairs. Each unit will be separated from the central corridor with a one hour fire partition and 20 minute doors as required. The total exit travel distance will be 150 feet and the code allows up to 250'. The hardship is the construction of the walls and doors for one of the stairs would potentially compromise personal security for the building occupants. Enclosed exit stairs provide fire safety. Is that considered by the applicant?
- 13-05-43      BI      **Mustard Seed Gardens – Olde Barn – Noblesville**      Project #362975  
*The primary transmission channel for the fire alarm system will be a wireless telephone service rather than the code required public switched telephone service.* This type of system is allowed in the 2010 Edition of NFPA 72. The hardship is the 2002 code does not recognize the newer technologies.
- 13-05-44      C      **White Lodging Corporate Headquarters West Building Renovation – Merrillville**  
*The code required one hour rated egress corridors will not be provided for this project involving interior renovation of the existing building area of approximately 30,338 sq. ft.* The building is classified as a "B" occupancy and included in the renovation will be a test kitchen and small dining room area separated with a 2 hour fire barrier. The building is classified as Type IIB construction. A significant portion of the floor area is open office with furniture partitions a maximum 5'5" in height, providing greater visibility to exits that entirely enclosed corridors. The building has a fire alarm system. The egress path throughout the building will be provided with a smoke detection system interconnected with the building fire alarm. The egress travel distance is approximately one half of that required to an exit. Fire and smoke dampers will be provided in duct penetrations of 1 hour walls around storage and mechanical rooms and the 2 hour fire barrier around the test kitchen. The hardship is providing enclosed corridors through the open office area would adversely impact the usability of the space.
- 13-05-45(a)(b)      BI      **Gordmans Distribution Center – Clayton**      Project #363988  
(a) *The maximum travel distance to the toilet facilities will be approximately 750 feet and the code allows a maximum of 500 feet.* The building is a distribution warehouse with attached office area, classified as S-1 and B occupancies. The building will be 545,497 sq. ft. The toilet facilities will be located in the office area and at the central picking area in the middle of the building. The proponent advises that the warehouse employees are ambulatory and many in areas remote from the toilet rooms work on various types of industrial forklifts, and will not have difficulty accessing the toilet rooms in the office area or the central picking area. The hardship is the installation of additional toilet

facilities to meet the 500 feet travel distance would be a cost hardship, based upon the long distance of underground drainage piping required. What is the cost?

- CI (b) *The warehouse portion of the distribution center has been cited as requiring an additional categorical processing fee for "Category A (Normal Occupancy)" in the amount of \$10,567.22 and additionally an expedite fee of \$5,000.00 was paid when the project was filed for Design Release on March 26, 2013. The request is to permit the warehouse portion of the building to be considered as "Category B (Minimal Occupancy)" for the purpose of calculating the processing fee and to receive reimbursement of the \$5,000.00 expedite fee. The GAR Section 675 IAC 12-3-2(c) includes "warehouses" in the description of users compromising "Category B (Minimal Occupancy)". Per the attached letter dated March 28, 2013, from the Architect, the actual occupant load of the warehouse will be 200, which equates to an occupant load density of 1 person per 2,641 sq. ft. The IBC design occupant load is 1,056 based on 500 sq. ft. per person. The total processing fee was paid in the amount of \$16,707.63. The hardship is the GAR provision for inclusion of warehouse use in Category B, and lack of any other cited deficiencies not corrected by the Architect's March 28 response to Plan Review, this is no justification for payment of the expedite fee or for payment of additional processing fees.*

- 13-05-46 C **Reflections at Bluestone Senior Living – Phase 2 – Greenfield**  
*The code required NFPA 13R sprinkler system, for the R-2 occupancy of Type VB construction, will not be provided. The proponent advises that the structures will be one story in height, be provided with an NFPA 13D sprinkler system, will have 2 exterior exits, one front and one back, each unit will be separated with a one hour fire barrier from the slab to the roof deck and will have multiple station smoke detectors per the code as required. The hardship is the cost of the NFPA 13R system and with the use of the NFPA 13D system will help control the construction costs for the one story patio homes. What is the cost difference? Is there a fire barrier between the garages and the living quarters?*

- 13-05-47 CI **St Peter's Lutheran Church and School – Church Add. and Reno. – Ft. Wayne**  
*The code required 2 hour structurally independent fire wall will not be provided to separate the addition and the existing church. The proponent advises that they will instead provide a two hour fire barrier with 1 ½ hour opening protection and the addition will be protected with an automatic sprinkler system. The separation will utilize the existing masonry exterior wall of the church and to achieve structural independence is not practical, thus being the hardship. How big is the existing building and how big is the addition?*

- 13-05-48 CI **Battery Innovation Center Facility – New Berry**  
*Noncompliant locking devices will be utilized on the doors to the compartments of the dry room to ensure that, under non-emergency conditions, the inner and outer doors to the vestibule cannot be opened at the same time. These doors are the path of egress from the inner compartments of the dry room and the areas involved are classified as "B" and "F-1" occupancies. The proponent advises that the doors will be equipped with an emergency release pull station that will deactivate the interlocked devices. The doors*

will also unlock upon any of the following: actuation of a fire alarm pull station, actuation of the fire alarm system by the sprinkler system water flow or other initiation device, loss of power to the locking device, and loss of power to emergency lighting. The area affected is not open to the public and is used only by specific employees who have access to the dry room. The building is protected throughout with a sprinkler system. The hardship is the process in the dry room is extremely sensitive to humidity. The interlocking arrangement is needed to ensure that the process is not compromised.

- 13-05-49      AI      **Pizza Hut/Wing Street – Fort Wayne**  
*A new Polar King cooler/freezer box is being added to the existing Pizza Hut, resulting in a 132 sq. ft. addition to the existing building area of 5,538 sq. ft., the code requires sprinklers to be installed in an A-2 occupancy in excess of 5,000 sq. ft. or an occupant load of 100 or more. The proponent advises that the increase is only approximately 2% of the total building and will increase the occupant load by one person. The addition does not affect the occupant load of the public assembly area of the building. Sprinklers were not required at the time the building was constructed. The hardship is the cost of the new water service that would be required to support a sprinkler system.*
- 13-05-50      AI      **Riley Hospital for Children – Sequence 2b – Indianapolis**      Project #358115  
*In lieu of the code compliant side hinged swinging doors, sliding doors will be installed at the entrances to treatment and exam rooms. The proponent advises that this is a standard configuration in hospitals throughout the State of Indiana, rooms served by sliding doors will have an occupant load of less than 10, the building is equipped with an automatic sprinkler system throughout and the corridors throughout the smoke compartment containing the sliding doors are equipped with automatic smoke detection. A copy of a previous variance that was approved by the Commission was provided by the proponent. The doors are needed to accommodate unobstructed movement to and from the patient treatment, exam and ICU rooms. The hardship is sliding “break-away” doors cannot be used due to infection control issues.*
- 13-05-51      C      **Brownsburg Community School Corporation – Project “C” Renovation**  
*A Chapter 34 evaluation is being done on the existing school that is undergoing a change to be changed to serve as the school corporation’s main administration building with multi-purpose assembly areas, district shipping, receiving, storage and pre-kindergarten education. The Chapter 34 analysis shows a failing score of 43.1 points, even with all of the planned fire safety improvements noted. The proponent advises that the following is planned for the structure: the entire building will have a new automatic fire suppression system, a completely new fire alarm system will be installed throughout the building, a 2 hour fire barrier will be constructed between the “E” occupancy and the rest of the building; and emergency lighting and an emergency generator will be installed. The hardship is, that in order to pass the analysis, the building would need to have more significant modifications that would be extremely difficult and expensive to construct due to the configurations of the groups and the existing construction. What is the cost to achieve the necessary points?*

- 13-05-52 C **Mainstreet Health and Wellness Suites of Castleton – Indianapolis** Project #361033  
*The code required one hour corridor in the I-1 occupancy will have the corridors open to the nurse's area and common areas in the assisted living facility.* The proponent advises that the common areas will include game areas, pub, dining, and nourishment and server kitchen. The structure is a 2 story building of Type VA construction. The first floor is a nursing home, I-2 occupancy, and the second floor is an assisted living I-1 occupancy. The proponent advises that the building is sprinklered, the I-1 occupancy is protected with quick response sprinklers and the I-2 occupancy that contains sleeping rooms are protected with quick response sprinklers. Smoke detectors are tied to the fire alarm system and will be provided in common area and nurse areas open to the corridor. The I-2 occupancy is divided into two smoke compartments/fire areas. Area "A" is 7,921 sq. ft. and Area "B" is 12,544 sq. ft.. The I-1 occupancy is separated from the I-2 by two hour construction. The maximum travel distance is 143 feet to a 2 hour enclosed exit stair that discharges to the exterior. The hardship is that the owner wishes to provide an open and inviting appearance to these areas for the residents of the assisted living facility.
- 13-05-53 C **Mainstreet Health and Wellness Suites of Westfield – Westfield** Project #358576  
 Same as 13-05-52.
- 13-05-54 A **Henryville Auto Service – Henryville** Project #360195  
*The code required insulation will not be provided for the repair garage.* The proponent advises that the building will only be heated and not cooled and with the overhead bay doors in the service bays, the addition of insulation would not have much of an impact on the thermal performance of the building. This is a replacement of a building from the tornado damage in March of 2012.
- 13-05-55 C **Mainstreet South Bend Skilled Nursing and Assisted Living Facility – South Bend**  
 Same as 13-05-52.
- 13-05-56(a)(b) B **Mainstreet Health and Wellness Suites on Georgetown Rd. – Indianapolis**  
 (a) *The two hour fire barrier (between the I-1 and I-2) will have non-rated glazed windows in it, which is not allowed by code.* The proponent advises that the barrier is installed to avoid the requirements for rated corridors throughout the entire building and to avoid a more stringent NFPA construction requirement. The entire building is protected with an automatic fire suppression system. The single glazed opening overlooks the lobby from the second floor. The opening will be protected by close spaced sprinklers located on both sides of laminated glazing, no more than six feet on center and no more than 12" away from the surface of the glazing. The hardship is the cost to install a rated assembly of expensive ceramic glazing or the cost of a rolling shutter over the opening.
- C (b) Same as 13-05-52
- 13-05-57 BI **Grace Assembly of God Worship Addition – New Whiteland**  
*The new addition will be separated from the existing by a 3 hour fire wall and the code only allows 25% of the length of the wall to have openings and the wall will have a total of 45.7% openings.* The wall will have an overall length of 122' 7 1/2" and a total width

of the openings will measure 56'. The proponent advises that the wall will be protected with 3 hour fire shutters and with sprinklers spaced 6' along the openings, the existing building and the proposed addition are protected with sprinklers. The connector between the two buildings is not a required means of egress. The hardship is that the additional openings are needed to provide natural light in the lobby of the addition.

- 13-05-58      B      **West Point Woodworking – Shipshewana**  
*The code required sprinkler system will not be installed in the woodworking facility. The proponent advises that this facility is located in rural LaGrange County and there is no public water service in the area. They will install an NFPA 664 dust collection system. The hardship is the cost to install a well and storage tank for a sprinkler system is approximately \$125,000.00.*
- 13-05-59      B      **Plainfield Christian Church – Children’s Ministry Expansion – Plainfield**  
*A two hour fire barrier will be utilized rather than the code compliant two hour fire wall to separate the proposed addition of Type IIB construction from the existing Type VB Fellowship Center building. The addition will be an A-3 occupancy and will have approximately 24,130 sq. ft. of area on the 1<sup>st</sup> floor and 8,600 sq. ft. on the 2<sup>nd</sup> floor. The project will have limited renovation to the existing Fellowship Center. The addition will be protected throughout with an automatic sprinkler system. The existing Fellowship Center building will also be sprinklered as part of this project. The building areas on either side of the 2 hour fire barrier will be sprinkler protected. The proponent advises that the addition will be structurally independent of the existing building. The hardship is that the cost to sprinkler the building is comparable to the cost to provide the structurally independent fire wall and doing the sprinkler system results in an overall safer condition.*
- 13-05-60      AI      **Mr. Wimp’s Coins and Jewelry – Fort Wayne**      Project #361746  
*The code required emergency showers, eyewash station, drinking fountain, and service sink will not be provided in the new S-1 occupancy storage building. The building does not have water or sewer to the site. The proponent advises that the building will be utilized for the storage of the owner’s personal vehicles and the building will contain any hazardous materials. There are drinking fountains and/or bottled water available and supplied to employees in a location that is less than 50 feet from the proposed building. The owner’s hardship is the cost to provide water and drainage to the new building.*
- 13-05-61      B      **Marathon Petroleum Company – Clermont**  
*All of the above ground storage tanks at this facility will be drained of all flammable or combustible materials but will not be removed as required by code for tanks out of service for a year or more. The proponent advises that they will cease using these tanks and the facility and they will remove all connections to incoming petroleum pipelines, all storage tanks will be emptied, cleaned, and secured against tampering. Additionally all piping will be emptied, secured and maintained with a low pressure nitrogen blanket. The automation system that normally controls terminal operations will be shut down and secured, and pumps that supply the truck loading rack will be removed. Perimeter fencing will be maintained in place to ensure that these conditions are maintained. The applicant’s intent is to maintain the integrity of the storage tanks, product piping, and*

associated structures such that petroleum products could be marketed at this facility in the future.

13-05-62(a)(b)

CI

**One Life Church – Adaptive Reuse – Evansville**

(a) *The Chapter 34 evaluation will be scored as follows: “0” for area rather than the calculated “-54” and the HVAC will be scored as having duct systems serving one level even though 2 small areas have units serving 2 levels.* The request is to allow the use of Chapter 34 even though the scoring does not work. The building is protected with an NFPA 13 system designed for moderate hazard. Exit doors will be provided in 6 remote locations, only 3 are required. Exit width will be 125% of the code minimum for new construction. The audio visual system will be silenced upon activation of the fire alarm. The other occupancies in the building are primarily offices, another smaller fitness center and some storage. The hardship is the building design as multi tenant precludes installing enough fire walls to meet current allowable areas. Reuse of large sections of building is dependent on church occupancy.

CI

(b) *The existing NFPA sprinklered fitness center (A-3 occupancy under the current Indiana Building Code) will be remodeled into a Church Worship and Sunday school Facility (A-3 occupancy).* The request is to allow a change of occupancy without complying with the rules for the new occupancy. The original building was released as a B2 use in 1989 and staff has determined that this is a change of occupancy. The building is fully sprinklered per NFPA 13 moderate hazard, the exits will be provided to 125% of the minimum required for new construction and a full automatic fire alarm system will be installed in addition to required sprinkler activation. The large Type IIB construction, fully sprinklered would require over \$250,000.00 just to provide code compliant separations.

13-05-63

CI

**Indiana Automotive Fasteners Office and Training Room Build Out – Greenfield**

*The maximum allowed travel distance to an exit from a “B” occupancy is 300’ and from an A-3 is 250’ and the approximate distance for the new build out will be 340’.* The building is an existing manufacturing and distribution warehouse facility with attached offices and support functions. The project will involve the construction of a mezzanine floor and 1<sup>st</sup> floor level build out for offices and 2 training rooms within the S-1/F-1 occupancy portion of the building. The proponent advises that the building is protected throughout with a sprinkler system and the office and training rooms are not available to the general public and are for employee use only. The portion of the facility through which the means of egress passes has a ceiling height of approximately 25’ and is protected with an ESFR sprinkler system. The high ceiling will provide additional time for egress. The nearest exit, there are more than 20 exterior exits available in all directions from the new build out area via marked aisles. The hardship is the proposed location for the office and training area are optimal based upon the immediate adjacency of existing toilet facilities and available space at this location that will not disrupt manufacturing, product distribution and warehouse functions.

13-05-64(a)(b)

BI

**Solana Point Assisted Living Facility – Indianapolis**

Project #362852

*There will be an unprotected floor opening between the 1<sup>st</sup> and 2<sup>nd</sup> floors at the main lobby which is not allowed by code, for a corridor in an “I” occupancy.* The proponent

advises that 18" draft curtains will be provided around the perimeter of the opening on the 1<sup>st</sup> floor. Sprinklers will be installed at 6' 0" center along the length of the draft curtain. The building is protected with a sprinkler system. The hardship is that the floor opening is desirable to create a residential feel for the residents.

- CI *The one hour fire rated corridor that is required by code will have lounges and activity spaces in the corridor.* The proponent advises that the rated corridor construction will extend around the areas that are open to the corridor. All dwelling units will be separated with rated construction as required. The areas open to the corridor will not obstruct required egress width. Smoke detection will be provided in the corridors and in the spaces open to the corridors. The building will be protected with an automatic sprinkler system. The hardship is the floor opening is desired to create a residential feel for the residents.

- 13-05-65 AI **RV Storage Garages – Fort Wayne** Project #362787  
*The emergency shower, eye wash, service sink and employee toilet facilities will not be provided in the individual storage buildings as required by code.* The proponent advises that each building is 2,560 sq. ft. and there are a total of 18 buildings. The buildings are classified as S-1 occupancies and of Type VB construction. The employee toilet facilities are provided elsewhere on the site. The hardship is the cost to provide the water supply and drain lines to each building, as well as the fixtures which are of no benefit to the public welfare.
- 13-05-66 CI **Pavilion Place – Bloomington** Project #362944  
*The individual balconies, which are unprotected openings, project from the north exterior wall more than 12 inches into the distance where unprotected openings are prohibited by code.* The code requires unprotected openings to be more than 5' from the property line. The building will be designed as a 3 story structure of Type VA construction. The 2<sup>nd</sup> and 3<sup>rd</sup> floors will be R-2 occupancies with parking and commercial use on the 1<sup>st</sup> floor. The proponent advises that the building will be protected throughout with an automatic sprinkler system per NFPA 13R, with protection in nonresidential areas per NFPA 13. The exterior balconies will be protected with automatic sprinklers. The hardship is the strict imposition of the rule would limit the size of the balconies to less than functional size. What is the size of the balconies?
- 13-05-67 CI **Purple Tree Yogurt – Greenwood**  
*The code required noncombustible construction will not be followed for approximately 20 lineal feet of wood framed partition and a wood framed service counter that have been constructed in a Type II-B building.* The proponent advises that the area in question is 234 sq. ft. within in a large retail store. The partition and counter are clad so no wood is exposed. The entire building is protected throughout with automatic sprinklers. The hardship is the reconstruction of the partition and counter would introduce a disruption of the construction schedule that could threaten the opening date of the space, as well as increase the construction budget. What is the composition of the cladding?

13-05-68(a)(b)

CI

**Klipsch Music Center – Noblesville**

(a) *There will be three temporary tents erected and used for a period of 180 days, from May through October, during concert events rather than the code compliant 30 day maximum.* The proponent advises that the tents are as follows: one tent will be 40' X 100' with tables and chairs for dining – the tent will have side walls with 3 openings 20' in width each, two tents will be 20' X 20' for beverage service – these tents will be open on all 4 sides. The tents will be located at least 20' from other structures. The tents will be provided with fire apparatus access as required, there will be no cooking under or within the temporary tent structures, exit openings from the enclosed tent will exceed the minimum width requirements (20' versus 6' minimum required), the tents will meet the flame promulgation criteria of NFPA 701 as required; there will be no smoking or open flame within or under the tent structures, portable fire extinguishers will be provided as required by code. The hardship is the cost and operational disruption by taking the tents down and re-erecting every 30 days.

C/NVRI (b) *A Type I or Type II hood will not be provided for the pizza oven to be used for the 2013 concert season.* The oven will be an electrically heated conveyor oven located within a food service building. The proponent advises that they will provide a minimum of 2 Class K fire extinguishers in the immediate area of the oven. The food service building is not occupied by the public, only employees. This request is only for the 2013 season. The owner is trying the oven to see if it is profitable. Depending on the materials being heated (precooked meats), these type ovens do not produce grease laden vapors and would not require a hood.

13-05-69

C

**Dollar General – Terre Haute**

Project #361594

*The buildings fire suppression system will not be maintained as operable, as required by code.* The proponent advises that the building is 9,550 sq. ft. and was called out in the drawings as being fire suppressed. The code of record did not require that the building be suppressed due to its size and construction type. The hardship is that the main underground water lines leading to the fire suppression system from the exterior to the interior are in need of replacement and the system inside the building is in need of a great deal of maintenance including, replacement of sprinkler heads, extensions for pipes, and replacement of the main valve which will be costly to do.

13-05-70

CI

**Columbus Signature Academy Fodrea Campus – Columbus**

*The new corridors in the Type IIB construction nonsprinklered building will not be rated construction as required by code.* The proponent advises that the existing noncombustible school will be remodeled from offices to classrooms as well as corridors. The existing corridors have existing smoke detection system. The smoke detection system will be extended into all new corridor areas. The school was originally built as an open classroom concept. The existing corridors are not fire rated construction, thus the new work will not make the situation more hazardous. The owner's hardship is the cost involved in fire rated construction when the existing corridors are not fire rated. What is the cost difference between rated and nonrated construction?

*The existing building exceeds the current code's allowable area for Type IIB construction for the change of occupancy of 9,700 sq. ft. on the 3<sup>rd</sup> floor from a B occupancy to an E occupancy for a charter school use of grades 9 – 12.* The proponent advises that the school is programmed for a maximum of 150 students. The building is 3 stories in height (as part of the Glendale Mall), with existing retail use on the 1<sup>st</sup> and 2<sup>nd</sup> floors, and an existing library branch on the 3<sup>rd</sup> floor to remain. The Glendale Mall was constructed in 1959. The building is protected throughout with an automatic sprinkler system. The maximum egress travel distance to an exit from the tenant space will be 96 feet – which code allows up to 250 feet. A one hour occupancy separation will be provided between the new tenant space and the existing library – based on the E and A-3 occupancy classification, the separation is not required. Smoke detection will be provided throughout the tenant space which also is not required. The hardship is that the strict imposition of the rule would not permit the use of this building for the proposed charter school use and this location is optimal for several reasons according to the proponent.

